

ATTACHMENT 7

STEP APPEAL CHRONOLOGY

RE: 471 Application Number: 131643

Funding Request Number: 237457

Funding Year 2: July 1, 1999 through June 30, 2000

December 1, 1999 Talked to George McDonald, Schools and Libraries Division (SLD) Director of Operations. (Effective June 11, 2001, George McDonald will become SLD's Acting President as the current president, Kate Moore, is leaving.) In our December 1, 1999 conversation, Mr. McDonald said that to solve our problem we should write a letter appealing the decision and asking for the restoration of funding, and, also, requesting a SPIN change to the SPIN of one of the underlying common carriers. In this conversation he acknowledged that, even among SLD personnel, there was confusion regarding the rules and requirements of the new E-rate program.

December 3, 1999 Letter to SLD Appeals Unit.

December 21, 1999 Checked with SLD hotline (1 888 203-8100) - Anna - Asked about Year 3 issuance of Forms 470 and 471 - Per Anna, do not issue Form 470, but do issue Form 471. I called Andy and advised that the school should not issue 470, but should issue 471 using Nebraska Central's SPIN.

February 15, 2000 Called SLD, talked to Claudette in Appeals Unit. Per Claudette, no resolution on appeal - sorry for delay - SLD has over 2,000 appeals for Y2.

March 29, 2000 Called SLD, talked to Michelle - too late in the day to check with Appeals Unit in New Jersey . . .

March 30, 2000 Called SLD, talked to Ms. St. George (?) - appeal still pending, no resolution yet.

April 27, 2000 Called SLD, talked to Joann - appeal in review - in final stages - letter will be sent - didn't want to give date - said maybe a month/month and a half.

May 15, 2000 Called SLD - appeal is with "appeal reviewer" - no decision yet.

June 15, 2000 Called SLD, talked to Joe in the Appeals Unit - said appeal is still "being processed" - no hold-up for Y3.

July 20, 2000 Called SLD twice - computers down.

July 21, 2000 Called SLD, talked to Michelle - computer system in Appeals Unit still down - said she will check when system back up and will call with information.

August 24, 2000 Called SLD - nothing going on with appeal - SLD person said they were probably waiting on COPAN decision.

November 7, 2000 Called SLD, talked to Joann - I asked about Y2 funding deadline that was fast approaching - she said if appeal granted, will receive money even if after deadline.

January 2, 2001 Called SLD - appeal still pending, "as are many others."

April 12, 2001 Called SLD, talked to Mark Parker (?) - he called SLD Technical Division - Roger at Technical Client Services said matter should be resolved in a couple months.

May 11, 2001 Called SLD, talked to LeAnn - said she would check with SPIN change group and Appeals Unit and call me back.

May 31, 2001 Called SLD, talked to Julie - said she would have LeAnn call me back.

 Called SLD, talked to Dan - Dan assigned Case Number 51673 and said he'd have LeAnn call me back.

 Called SLD, talked to Josh - LeAnn had left for the day.

June 1, 2001 Called SLD, talked to Mary - she checked with LeAnn - LeAnn is working on it - waiting for response - still no resolution - will call.

 LeAnn called and left message for me that the decision letter was going out today. I immediately called LeAnn and left word for her to call me back. No response. . .

Loretta Calabro
TELEC Consulting Resources, Inc.

ATTACHMENT 8

AMENDMENT NO. 1

This Amendment No. 1 is made this 4th day of June, 1992 by and between CONSOLIDATED TELEPHONE COMPANY and THE NEBRASKA CENTRAL TELEPHONE CO., hereinafter the "Companies", SANDHILLS TECHNOLOGY/TELECOMMUNICATIONS EDUCATIONAL PROJECT, hereinafter the "Co-op", and CUSTER COUNTY SCHOOL DISTRICT NO. 044, CUSTER COUNTY SCHOOL DISTRICT NO. 025, SHERMAN COUNTY SCHOOL DISTRICT NO. 001, CUSTER COUNTY SCHOOL DISTRICT NO. 015 and BLAINE COUNTY SCHOOL DISTRICT NO. 071, hereinafter in the aggregate the "School Districts."

WHEREAS, the Companies have formed a Nebraska General Partnership named NEBCON Partnership ("NEBCON") in which the Companies are equal Partners, for the purpose of owning, operating and maintaining the fiber optic telecommunications cable facility which is the subject matter of that certain Facilities Lease Agreement between the parties hereto dated May 1, 1992 (the "Agreement"); and

WHEREAS, the Companies desire to assign the Agreement to NEBCON, and the Co-op and the School Districts are willing to consent to such assignment.

NOW THEREFORE, in consideration of the premises, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. All of the rights and obligations of the Companies set forth in the Agreement shall be assigned to NEBCON, and NEBCON shall be substituted for the Companies in the Agreement.

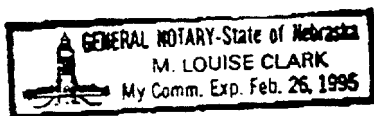
2. Section 2.2 of the Agreement shall be amended to provide that all payments by the Co-op and/or the School Districts shall be transmitted to NEBCON at 22 LaBarre Street, P. O. Box 700, Gibbon, Nebraska 68840, rather than to Consolidated Telephone Company.

3. All notices to be directed to NEBCON shall be transmitted as provided in Section 8.3 of the Agreement to the Companies at the addresses shown in such Section 8.2.

4. The parties reaffirm all of the remaining provisions of the Agreement.

ATTEST:

M. Louise Clark
7-26-92



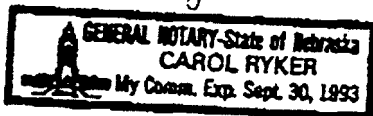
SANDHILLS TECHNOLOGY/
TELECOMMUNICATIONS
EDUCATIONAL PROJECT

By: *[Signature]*

Its: Director

ATTEST:

Carol Ryker 6-16-92



BLAINE COUNTY SCHOOL DISTRICT NO. 071
(SANDHILLS PUBLIC SCHOOLS)

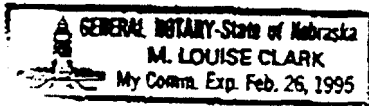
By: *[Signature]*

CUSTER COUNTY SCHOOL DISTRICT NO. 015
(ANSELMO-MERNA PUBLIC SCHOOLS)

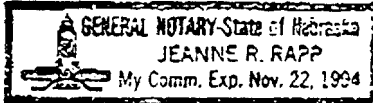
By: *Charles F. McH...*

Its: Pres. Board of Ed.

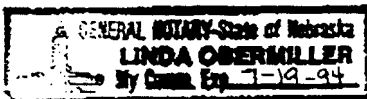
ATTEST:

M. Louise ClarkCUSTER COUNTY SCHOOL DISTRICT NO. 025
(BROKEN BOW PUBLIC SCHOOLS)By: *Roger Kuderer*Its: *Vice President*

ATTEST:

*June 29, 1992*
*Jeanne R. Rapp*CUSTER COUNTY SCHOOL DISTRICT NO. 044
(ANSLEY PUBLIC SCHOOLS)By: *Paul Bennett*Its: *Ansley Board of Ed.*

ATTEST:

*Linda Obermiller*
*July 9, 1992*SHERMAN COUNTY SCHOOL DISTRICT NO. 001
(LOUP CITY PUBLIC SCHOOLS)By: *Michael Rademacher*Its: *Board Member*

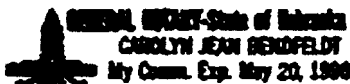
ATTEST:

*Terri L. Dobberstein*
JUNE 2, 1992

CONSOLIDATED TELEPHONE COMPANY

By: *Robert E. Thompson*Its: *Sec.*

ATTEST:

*Carolyn Jean Benfeldt*
6-4-92

THE NEBRASKA CENTRAL TELEPHONE CO.

By: *Quinn B. Hill*Its: *President*

ATTACHMENT 9

CERTIFICATE OF PARTNERSHIP

This Certificate of Partnership is being filed pursuant to
Neb.Rev.Stat. §67-101 (Reissue of 1986).

1. The name of the General Partnership is NEBCON Partnership, a General Partnership.
2. The general nature of the business is: to own and operate fiber optic telecommunications cable facilities and to do such other business as may be agreed upon by the Partnership and permitted by The Nebraska Uniform Partnership Act.
3. The principal place of business of the General Partnership is: 22 LaBarre Street, P. O. Box 700, Gibbon, Nebraska 68840.
4. The name and address of each of the Partners in the General Partnership is: Consolidated Telephone Company, 6900 Van Dorn, Suite 21, Lincoln, Nebraska 68506 and The Nebraska Central Telephone Co., 22 LaBarre Street, P. O. Box 700, Gibbon, Nebraska 68840.

DATED: May 1, 1992.

STATE OF NEBRASKA } ss.
County of Buffalo

Recorded in the County Clerk's Office
of said County the 4th

day of June 1992 at 2:20 PM.

Miscellaneous Record

Book No. 20 on Page No. 541.

Robert A. Hensel
County Clerk

Deputy County Clerk

CONSOLIDATED TELEPHONE COMPANY

By: Cliff Thompson

Title: Sec.

THE NEBRASKA CENTRAL TELEPHONE CO.

By: Robert A. Hensel

Title: President



ATTACHMENT 10

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

IN THE MATTER OF A JOINT APPLICATION) Application No. C-923
BY CONSOLIDATED TELEPHONE COMPANY)
AND THE NEBRASKA CENTRAL TELEPHONE CO.)
FOR CERTIFICATES OF PUBLIC) GRANTED
CONVENIENCE AND NECESSITY TO PROVIDE)
FOR TRANSMISSION OF DISTANCE LEARNING)
AND CERTAIN ADDITIONAL TELECOMMUNI-)
CATIONS TRAFFIC.) Entered: April 14, 1992

APPEARANCES

For the Applicants
Paul M. Schudel, Esq.
WOODS & AITKEN
1500 American Charter Center
206 South 13th St.
Lincoln, NE 68508
(402) 474-0321

For the Intervenor, US West
Communications, Inc.
Richard L. Johnson, Esq.
1314 Douglas On-The-Mall
Omaha, NE 68102
(402) 422-5617

O P I N I O N A N D F I N D I N G S

BY THE COMMISSION:

The applicants, Consolidated Telephone Company ("Consolidated") and The Nebraska Central Telephone Co. ("Central") filed their joint application (hereinafter referred to simply as "the application") March 11, 1992 seeking certificates of public convenience and necessity. Public notice was duly published in the Omaha Daily Record March 13, 1992 pursuant to the Commission's Rules of Procedure. On April 6, 1992 the applicants filed a motion for leave to amend the application. At the same time, US West filed a petition to formally intervene. The US West petition specifies that it consents to the granting of the amended application. At the Commission's weekly formal meeting, April 6, 1992, it granted the motion. The amended application is therefore the subject of this order.

As amended, the application seeks certificates of authority for the construction of a fiber optic telecommunications facility ("facility") to provide "Distance Learning" to the Anselmo-Merna, Ansley, Broken Bow, Loup City, and Sandhills School Districts ("school districts") in connection with a program referred to as the "Sandhills Technology/Telecommunications Educational Project ("STEP"). Construction of this network by the applicants will be, at least in part, in the US West local exchange.

No protests to the application were received. The Nebraska Division of Communications filed letter of informal

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application C-923

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intervention apprising the Commission of its interest in this matter. The application will therefore be administratively processed without¹ a hearing and relying on the affidavit attached thereto.

Upon consideration of the pleadings, the affidavit of Clifford E. Thompson (Consolidated's Secretary), the pertinent statutory authority, and being fully advised, the Commission is the opinion and finds:

This application is governed specifically by Nebraska Rev. Stat. §75-604 (Reissue 1990) which states in pertinent part:

"(1) Except as provided in section 86-805, no. . . corporation . . . shall offer any telecommunications service or shall construct new telecommunications facilities in or extend existing telecommunications facilities into the territory of another telecommunications company for the purpose of providing any telecommunications service without first making an application for and receiving from the commission a certificate of public convenience and necessity, after due notice and hearing under the rules and regulations of the commission. Before granting a certificate of convenience and necessity, the commission shall find that: (a) The territory in which the applicant proposes to offer telecommunications service is not receiving reasonably adequate telecommunications service; (b) the portion of the territory of another telecommunications company in which or into which the applicant proposes to construct new facilities or extend its existing facilities is not and will not within a reasonable time receive reasonably adequate telecommunications service from the telecommunications company already serving the territory; or (c) the application is agreeable to the subscribers or subscribers and to all telecommunications companies involved in the matter, will not create a duplication of facilities, and is in the interest of the public and the party or parties requiring telecommunications service.

Before the Commission can issue the certificates sought by the applicants, it must make specific findings as required by §75-604. *Chambers Rural Tel. Co. v. K. & M. Tel. Co., Inc.*, 179 Neb. 735, 140 N.W.2d 400 (1966).

Consolidated is a Nebraska corporation with its principal place of business located in Lincoln, Nebraska. As a local exchange carrier ("LEC"), Consolidated provides telecommunications services to subscribers in the Anselmo, Arthur, Ashby, Bingham, Brewster, Brownlee, Dunning, Halsey, Hyannis, Merna, Mullen, Purdum, Seneca, Thedford, and Whitman exchanges.

Central is a Nebraska corporation with its principal place of business located in Gibbon, Nebraska. As a LEC, Central provides telecommunications services to subscribers in the

¹See Title 291 Neb. Admin. Regs. Ch. 1, Rule 018.03

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Ansley, Arcadia, Burwell, Comstock, Ericson, Gibbon, North Burwell, North Loup, Sargent, Scotia, Shelton, and Taylor exchanges.

The telecommunications services furnished by Consolidated and Central are, as a general matter, subject to regulation by the Commission and are provided pursuant to statutes, rules, and regulations administered by the Commission.

Distance Learning, as generally understood, and as used specifically in the amended application, means communications which provide any student who is physically separated from the instructor with the capacity to interact with that instructor or with mediated instructional programs.

The school districts cited above, through their school administrators, have stated to Consolidated and Central their desire to implement Distance Learning between their schools with implementation coordinated through STEP. In this connection, STEP and the school districts have requested Consolidated and Central to construct the facility for the transmission of audio and video signals and to allow provision of Distance Learning.

The facility will proceed generally along a route with a northernmost point at the Sandhills High School building in Dunning, then proceeding to the Anselmo-Merna High School building in Merna, thereafter entering US West's Broken Bow exchange area at the meet point with Consolidated's Merna exchange, proceeding to the Broken Bow High School building, then to Central's Ansley exchange to the Ansley High School building, then across portions of US West's Mason City and Litchfield exchanges to US West's Loup City exchange and through that exchange to the Loup City High School building. The facility will not be connected to US West's central offices without US West's concurrence.

US West has consented to the construction of the facility in and through those exchanges of US West as described in the preceding paragraph for the purposes of providing Distance Learning services.

Consolidated and Central intend to install a multi-fiber optical cable as the facility, to be jointly owned by both companies on an equal basis, with sufficient capacity to carry Distance Learning traffic for STEP and the school districts, and to complete placement of the facility for use by July 15, 1992. Additionally, Consolidated and Central intend to lease a portion of the capacity of the facility between Broken Bow and Loup City to US West for the purpose of providing diverse routing for such exchanges as well as other US West exchanges. Use of the facility will be pursuant to contractual

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arrangements with STEP, the school districts, and US West.²

Absent construction of the facility, adequate transmission facilities do not exist which can meet the specific requirements of STEP and the school districts, nor does transmission capacity exist to allow diverse routing of telecommunications traffic to US West's Broken Bow and Loup City exchanges. Duplication of facilities will not occur as a result of this application's approval. Further, the application is agreeable to the subscribers (the school districts) and to all the affected telecommunications companies. Approving the application is in the interest of the public and the subscribers. Therefore, the application satisfies the requirements established by §75-604(c). The evidence before us demonstrates that the public convenience and necessity requires this application be granted.

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that Application No. C-923 be, and it is hereby, granted and that Consolidated Telephone Company and The Nebraska Central Telephone Co. are authorized to construct, operate, and maintain the facility over the route generally described *supra* to provide transmission for Distance Learning services for STEP and the school districts, and to provide transmission capacity for diverse routing of telecommunications traffic of US West.

IT IS FURTHER ORDERED that this order be and it is hereby made the Commission's official certificate of public convenience and necessity to Consolidated Telephone Company and The Nebraska Central Telephone Co. to construct, operate, and maintain the facility over the route and for the purposes of providing Distance Learning and diverse routing as described previously in this order.

MADE AND ENTERED in Lincoln, Nebraska this 14th day of April, 1992.

² Review of the contract leads us to conclude its contents are not germane to approval of the application, other than that the parties are in agreement as to how the system shall affect them. We therefore do not require the contract to be made a part of the record in this application.

SECRETARY'S RECORD, NEBRASKA PUBLIC SERVICE COMMISSION

Application C-923

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NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING

Daniel G. Unwille
Duane D. Gray

//s//Frank E. Landis, Jr.
//s//James F. Munnelly
//s//Eric Rasmussen

Paul Landis
Chairman

ATTEST:

W. R. Taylor
Executive Director

ATTACHMENT II

LFC#5-DIGIT 68506
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THOMPSON
BX 6147
LN NF

68506

VOL. LXXVI NO. 27

Linking Up

Many Rural Regions
Are Growing Again;
A Reason: Technology

Small Nebraska Towns Find
Fiber Optics Help Bring
Jobs and New Residents

'We're the Envy of the Area'

By BILL RICHARDS

Staff Reporter of THE WALL STREET JOURNAL
ANSWORTH, Neb. — For years, travelers here were greeted by a billboard that said, "Welcome to Ainsworth, the Middle of Nowhere." So when a gust of wind blew the sign down last spring, it seemed like an omen of change.

While Ainsworth is far from the nearest interstate, it and many other tiny towns find themselves located right on the information superhighway. For the rest of the nation, the multimedia, megabit future may still be mostly hype and hope, but small-town America is starting to get an inkling of what it means, as the new technology blurs distinctions between rural and urban areas.

Ainsworth's public library boasts a two-way, video-conferencing unit. Sidney Salzman, the town's 67-year-old mayor, says when state officials installed the system two years ago, he figured it would be an electronic gadget gathering dust. But by now, just about everybody in town has tried it — including him. Local ministers, hospital officials, a lawyer and insurance agent use it regularly. The Over-50 Club even squeezed in front of the set to discuss their arthritis with the staff of a nursing school in far-off Omaha.

"With this thing," the mayor marvels, "we're just another suburb of Chicago."

How, Where to Live

Like the coming of the railroad a century ago and the arrival of the interstate-highway system in the 1950s, telecommunication is dramatically rearranging rural life. Such developments as fiber optics and data compression are shaking up everything from business to rural education to medicine. And perhaps as important as its influence on how people live, the new technology is starting to affect where they live.

During the 1980s, farm consolidations, plummeting land prices and declining services drove many people out of rural areas like Ainsworth. Almost unnoticed are recent census figures showing an abrupt turnaround in the rural diaspora: more than 400 rural counties whose populations shrank during the 1980s are now growing. Hundreds of others have either stabilized or slowed their population loss since 1980.

In all, during the first two years of the 1990s, rural counties gained nearly 900,000 new residents. That is a sharp contrast to the previous decade, when the future looked so bleak that some planners suggested turning the Great Plains back over to the buffalo. So rapid and unexpected was the population turnaround that U.S. West Communications, which services 10 states in the Great Plains and Northwest, now blames the rural influx for swamping its installers.

'Wire' Brings Jobs

While some of that influx is caused by retirees or companies seeking lower-cost environs, technology not only is enabling those trends, but exerting a pull of its own, says Calvin Beale, a senior demographer at the U.S. Department of Agriculture. Mr. Beale says advanced communications technology is starting to allow small towns to hold on to existing jobs and attract new ones.

"Every survey shows more people want to live in small towns than can find jobs there," he says. "If you wire them, they will come."

Nowhere is this field of dreams phenomenon more evident than in Nebraska, where nearly half the 1.8 million residents still reside in pinprick communities scattered across the state. The 1980s hammered Nebraska, with 83 of its 93 counties losing population. Since 1980, however, all but 20 counties are either gaining residents or have stabilized.

John Allen, a rural sociologist at the University of Nebraska, says it is no coincidence the state's population turnaround tracks the growth of communication technology here. "After the 1980s," says Dr. Allen, "we looked around and said we have a decision to make: We can do nothing and just watch our population drain away, or we can try some creative things to hold on to our people."

Build It, We'll Use It

Nebraska officials began prodding local telephone companies and other businesses to invest in fiber optics, digital switches and other high-tech gear. "We told industry, 'You build it, and we'll be the anchor tenant,'" says William Miller, director of Nebraska's division of communications.

Some 6,700 miles of fiber-optic cable has been laid across Nebraska cornfields, providing a pathway for large amounts of digitized data used by corporations and high-resolution, two-way video. State officials are using the system to sponsor a host of small-town experiments in telemedicine and "distance learning." All but five of the state's county seats are linked now to the fiber-optic network.

"Nebraska has excelled at adapting to the communications revolution," says Colleen Murphy, a rural-policy specialist at the Center for the New West, a Denver-based, public-policy think tank. Ms. Murphy says a handful of states including

Please Turn to Page A5, Column 1

Continued From First Page

Nebraska, North Carolina and Iowa are "really on the cutting edge in using these technologies in everyday life."

For example, Aurora, Neb., with about 3,800 residents, has become something of a case study in high tech's impact in the state. During the 1980s, more than a dozen empty storefronts lined the town's courthouse square, and population had begun to dwindle. "There was a time when there were only two choices of jobs if you stayed here," says Phillip Nelson, president of Hamilton Telecommunications, the local telephone company. "You could farm, or you could clerk in the Coast-to-Coast store."

Payoff for Business

Nowadays, Aurora's unemployment is under 1.3 percent, and there are no vacancies on the town square. Three transcontinental fiber-optic cables cross surrounding Hamilton County, enabling farm co., the pet-food manufacturer, to link its heavily automated Aurora plant with corporate headquarters in Dayton, Ohio, as well as with shippers and major customers around the country. That network allowed farms to boost production and increase its local work force to 125 from 20.

Ten years ago, fiber optics wouldn't have been among our top-10 reasons for opening a plant here," says Daniel Murphy, farm's plant control-systems analyst in Aurora. Now, Mr. Murphy says, "It's in the top three."

Mr. Nelson's telephone company has also boosted its work force to more than 200, up from 30 a decade ago when it shelled out \$28,000 for its first seven miles of fiber-optic cable linking two local grain cooperatives. The company's fiber now loops across its 700-square-mile service area, and Hamilton operates a telemarketing center, a cable-television system that

Linking Up: Nebraska Towns See High Technology Bringing Jobs

is tying together three towns on the fiber-optic network and a long-distance operator service handling 24 local telephone companies in Nebraska and South Dakota. Mr. Nelson is debating whether to invest in a million-dollar, state-of-the-art piece of equipment called an asynchronous transfer mode switch that would sharply boost his system's data capacity.

The 55-year-old son of the family-owned telephone company seems a bit awed by this technology explosion. "I'm sitting here in Aurora, Neb., and I'm competing head-to-head with AT&T, MCI and Sprint," Mr. Nelson says. "You don't need a plant with 5,000 parking spaces to do this anymore."

In the delicate ecology of small-town survival, access to "the fiber," as Nebraskans call their high-tech transmission lines, sometimes can spell the difference between life and death.

Take Dunning, Neb., a community with about 136 residents, whose Sand Hills High School is one of five rural schools wired into a "distance learning" network the state set up two years ago. Dunning can't afford a foreign-language teacher, says Michael Teahon, Sand Hills' principal. Instead, 35 of Sand Hills' 65 students take Spanish from a teacher in Merna — 30 miles away — by interactive television, communicating over the monitors on their classroom wall and a fax machine.

Without the system, Mr. Teahon says, Dunning's students who want to take Spanish would have to transfer to Merna. "Eventually," he says, "the smaller high school shuts down. And once a community loses its high school, it's doomed."

Donald Vanderheiden, the school superintendent in Broken Bow, another of the five towns in the network, says some school-board members balked at the annual cost of operating the video gear — about \$12,000. "They saw it as just another big-spender project," he says. "I don't think very many people here understood what this system could do."

They do now. "It used to be that football was the first thing they showed visitors here," says Crystal Cole, a senior at Ansley High School, one of the schools on the network. "Now it's the fiber-optic

room."

Halfway across the state, in Cambridge, change is coming in the form of telemedicine. On a recent afternoon, the town's three doctors sit stiffly in front of a pair of interactive video screens in Cambridge Memorial Hospital, preparing the state's first telemedicine patient — a local man whose leg pain is too severe to allow him to travel. Instead, a neurosurgeon at the University of Nebraska Medical Center in Omaha arranges to examine the man on the video unit. The specialist delivers an opinion on the spot and faxes a more complete diagnosis two days later.

"We didn't even know what we could do when we put in our order for a lot of this

equipment," says James Jackson, Cambridge Memorial's director of ancillary services. Now, Mr. Jackson says proudly, "any scope inserted in any office can be monitored at the other end of the cable."

Cambridge Memorial is hoping to extend its reach even further. The 29-bed hospital is negotiating to hook up with Minnesota's Mayo Clinic: Mayo specialists would consult by two-way video while a Cambridge Memorial doctor examines a patient hundreds of miles away.

"We can do Mayo's initial workup or any follow-ups right here by telemedicine," Mr. Jackson says. The prognosis: "New patients and new jobs," he says.

Telemedicine experts say just about every large medical center in the country is experimenting with similar two-way outreach programs for patients living in rural parts of states like Nebraska, Idaho, Montana and Alaska.

"There's a lot of dirt between light

bulbs in these states," says Eric Tangalos, a Mayo Clinic community-medicine consultant and a board member of the American Telemedicine Association. "They're pushing the information superhighway because it will put them on a par with bigger states."

Researchers are just beginning to study the impact of communications technology on rural areas. They say the nation's traditional economic development patterns may be in for a dramatic recasting. "We are right on the edge of a new form of social and economic organization," says the University of Nebraska's Dr. Allen. "We are rapidly approaching the point where technology empowers people to change their living patterns in the U.S. People will be able to take their family and their skills and settle somewhere based on quality of life, not on how close they'll be to the big-city job market. That's a departure from the traditional form of

social organization in this country."

Does that mean Ainsworth can forget about replacing its "Middle of Nowhere" sign? Perhaps, says William Beyers, chairman of the University of Washington's geography department.

Dr. Beyers's research team recently interviewed 248 service-industry employers in rural areas, asking them why they located where they did. What he found, he says, was a proliferation of accountants, management consultants and architects moving to small towns. "These people are deeply into computers and telecommunications," Dr. Beyers says. "They can work in small towns and sell the information to clients elsewhere."

'Two-Edged Sword'

But Dr. Beyers says his team also found jobs flowing down the fiber-optic cable away from small communities. "We found telecommunications pulling jobs out of small towns by eliminating branch offices

NDAY, NOVEMBER 21, 1994 A5

for insurance companies and banks," he says. "This is a two-edged sword."

Mr. Salzman, Ainsworth's mayor, says he isn't worried. Things are looking up here since the 1980s, when the town lost 15% of its population. Ainsworth's Chevy dealership has reopened, adding a dozen new jobs. Kelly Cobb, the manager, says he has used the dealership's computer, which scans inventories across nine states, for about 20% of his new-car sales. Two years ago, Jerry Kozut moved his computer-designing business, Up'n-Running, to Ainsworth, his wife's hometown, after burglars trashed his home in Phoenix two years ago. "I said I don't need this. And you know what, I didn't," says Mr. Kozut, who plans to hire two new employees next year.

After five years without a new house, four have been built here so far this year. "We're getting healthy," says the mayor. "We're the envy of the area."

NPT 1-26-92

Sandhills schools to share courses this fall

By KEITH BLACKLEDGE
Telegraph Editor

BROKEN BOW — Four and possibly five schools expect to begin sharing courses through interactive communications beginning this fall.

And \$91,000 for a two-way satellite connection to the system is being recommended by the governor — the only new investment in NebSat capital construction outside of Lincoln and Omaha in the governor's proposed budget.



VANDERHEIDEN

Satellite send and receive equipment will be the second phase of the project. The first phase will involve fiber optic connections between classrooms in each school that will enable participants to interact with each

other at all of the locations. That phase is on schedule and expected to be ready for first class offerings this fall, according to Don Vanderheiden, Broken Bow superintendent of schools and director of the project. Although some difficulties have developed in negotiations with telephone companies, Vanderheiden said he does not expect those problems to delay implementation.

Participating schools are Broken Bow, Ansley, Anselmo-Merna, and Sandhills at Dunning. Loup City schools are considering becoming a part of the project, which would be the first K-12 interconnection of its kind in Nebraska. Theftford schools were originally involved in the plan but decided not to participate.

Principals of the schools involved have been meeting to decide which classes to share and to coordinate calendars and schedules.

The telephone system will al-

Please see Sharing, Page 8

Technology, ownership offer snags in program start-up

BROKEN BOW — Differences over technology choices and who should own the equipment have snagged negotiations over telephone service involved in setting up a program that would connect classrooms in four Sandhills schools.

But those difficulties are not expected to stall the project, according to Don Vanderheiden, superintendent of the Broken Bow schools and spokesman for the project.

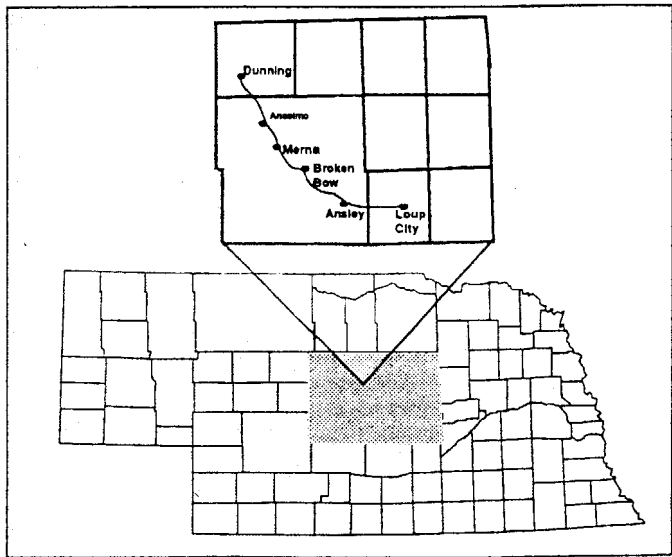
To connect four schools, and possibly a fifth, the system would need to use the lines of three telephone companies: Nebraska Central Telephone Company with headquarters in Gibbon, Consolidated Telephone Company of Lincoln and US West.

Nebraska Central and Consolidated offered prices of \$56 per month per mile for use of two strands on parts of the fiber optic cable they control. US West said its will not lease the "dark fiber," the project specified, but would prefer to lease a full-service system.

"Dark fiber" refers to the fiber only, without input devices. Vanderheiden said legislative funding for the pilot project anticipated that the state would own the send and receive equipment on each end of the system.

Roger Stuhmer of US West in Omaha said the company will not lease the basic fiber without "the basic electronic protective equipment we put into our system," but will continue to work with Vanderheiden.

Please see Snags, Page 8



Telegraph/George L. Hipple

Schools to be linked by fiber optic cable for a two-way video course sharing beginning this fall include Sandhills at Dunning, Anselmo-Merna at Merna, Broken Bow and Ansley. Loup City may also join the program.

Snags

Continued from Page 1

"We're working very hard to develop an alternate system close to the price he needs to have — to give him a product that's acceptable," Stuhmer said.

There has also been disagreement over appropriate technology, according to Melodee Landis in the State Department of Education. US West wants to use T1 equipment which is digital. The Sandhills schools chose fiber analog instead, because it presently offers greater flexibility and more freedom for interaction.

At the present stage of T1 technology, Sandhills could not be interactive with all four classrooms at once as they would with analog the schools chose, Landis said.

Vanderheiden said if an agreement cannot be reached with US West, it is possible another company might be able to lay its own fiber optic cable around the part of the system now served by US West.

Landis said the ideal situation from the state's point of view would be for the Sandhills group to proceed with the analog program and for another group — possibly one chaired by Sutherland Superintendent of Schools Mike Cuning — to use the digital.

The demonstration projects, she said, are "very important to help make decisions down the road. We need to learn what is appropriate for state funding, what for local funding, what technology to use, how it works in the classroom."

Cuning at Sutherland said his group is seeking state funds to develop a two-year pilot project using the T1 digital technology. The project presently operates with two-way audio/graphics capability with interaction between schools at Sutherland, Alliance, Callaway, Wallace, Chadron State College and a high school in Austin, Pa.

— By Keith Blackledge

Opinion

Editorial

Small schools lead in ed technology

New frontiers in K-12 education are being pioneered not in the state's largest schools, but in some of the state's smallest. And much of the leadership is coming from this part of the state.

As described in a Telegraph story Sunday, four and possibly five Sandhills schools expect to begin sharing courses by two-way audio/video over fiber optic telephone lines this fall. That will be the first project of its kind in Nebraska, though similar projects are already operating in other states, particularly Minnesota and Kansas.

On that system, courses taught in one school will be seen as well as heard on video screens in other schools. A teacher at Dunning might be lecturing to classes, and taking questions from students, in Broken Bow, Anslemo-Merna and Ansley high schools, for instance. Courses could originate at any of the schools, and be shared simultaneously with classes at any or all of the others. Loup City may become the fifth participant.

Meanwhile, course sharing between schools by two-way audio and graphics transmission is in its second year for another set of schools located in West Central Nebraska — and beyond.

Courses in Spanish I and II originating at Sutherland are being heard by students in Callaway, Neb., and Austin, Pa. Students in Sutherland and Wallace are taking French I in a class that originates at Alliance. Seniors at any of the high schools can get a freshman college-level course in English composition from Chadron State College. Faculty at the high schools took their college human relations course — a relatively new requirement for certification — from Chadron State without leaving their home towns.

In this system, classes away from the originating site can hear but not see the instructor. They can share written work, graphs

and still-pictures back and forth on a video screen. The graphics can be typed or handwritten and picked up by a video camera, or may originate and be transmitted by signals from a computer.

Next step for the Sutherland-Wallace-Callaway-Alliance-Chadron-Austin group is to get two-way live video transmission. The roadblock, as is often the case, is with funding.

Both projects are unique in Nebraska. Other schools are getting satellite courses by one-way video, two-way audio. But these are courses originating with Nebraska ETV, or from other states. No other Nebraska high schools are sharing their own courses between schools through satellite and telephone technology.

The importance of these projects to the state, and especially to small schools in rural Nebraska, surely is obvious. At the start, of course, they require extra investment not only of money, but of time and energy for teachers, administrators and students learning how to use the technology.

There are an infinite number of alternatives to explore and complications to unravel. There are differences over what technology to use, how to use it, how to pay for it, who will do what. There are choices to make, and mistakes to be made.

Given all that, what will develop out of these ventures will be a core of knowledge and experience that can be transferred to schools throughout the state — and beyond.

Distance learning in this pattern can mean the salvation of small schools and small communities and an expansion of possibilities for schools of all sizes.

For Nebraska, this grand adventure into the future is starting in places like Callaway, Wallace, Sutherland, Broken Bow, Alliance, Dunning, Anslemo-Merna, Ansley and Loup City.

Fiber-Optics System to Link 4 Schools

Broken Bow, Neb. (AP) — At least four schools in the Nebraska Sand Hills expect to start sharing courses through a telephone communications system this fall.

About \$91,000 has been recommended for a two-way satellite connection to the system by Gov. Nelson.

Satellite equipment will be the second phase of the project. The first phase will involve fiber-optic connections between classrooms in each school that will enable students to interact with each other at all of the locations.

The class-sharing program is expected to be ready for first class offerings this fall, said Don Vanderheiden, Broken Bow superintendent of schools and director of the project.

The telephone system will allow "complete, live interaction at all sites," Vanderheiden said. "The teacher can see all the students. All the students can see the teacher and all the other students. There will be computer and FAX connections between all classrooms."

Participating schools are Broken Bow, Ansley, Anselmo-Merna, and Sand Hills at Dunning. Loup City schools are

considering becoming a part of the project, which would be the first K-12 interconnection of its kind in Nebraska.

Principals of the schools have been meeting to decide which classes to share and to coordinate calendars and schedules.

Vanderheiden said the technology is in use in other states, but has not been used yet for secondary schools in Nebraska. Chadron State College is delivering some college classes at Scottsbluff using similar technology.

The Sand Hills project is officially called the Sand Hills Technology/Telecommunications Project. Vanderheiden serves as director and a coordinating council is made up of the superintendent and one board member from each participating district.

A \$293,000 state appropriation is funding the first phase. Funding from each participating school district is expected to equal about the cost of one teacher's salary each year for five years.

Meanwhile, differences over technology choices and who should own the equipment have snagged negotiations

over telephone service in the program.

But those difficulties are not expected to stall the project, Vanderheiden said.

To connect the four schools, and possibly a fifth, the system would need to use the lines of three telephone companies: Nebraska Central Telephone Co. with headquarters in Gibbon, Consolidated Telephone Co. of Lincoln and U S West.

Nebraska Central and Consolidated offered prices of \$56 per month per mile for use of two strands on parts of the fiber-optic cable they control. U S West said it preferred to lease its own system.

Roger Stuhmer of U S West in Omaha said the company will not lease the basic fiber without "the basic electronic protective equipment we put into our system," but will continue to work with Vanderheiden.

"We're working very hard to develop an alternate system close to the price he needs to have — to give him a product that's acceptable," Stuhmer said.

Academic Decathlon Siegrist's Bill Fights Gangs

Opinion

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Gift enables to visit d

Dear Mr. Ross: I'm a very young mother. My son was tested HIV positive in July of last year. The problem is I live in New York and my son lives in Baltimore. He is in the hospital there because of the care he needs. He is having a rough time dealing with his illness and is afraid of dying.

What I need is money for round-trip bus ticket. He's asking for his mother, and I want to see him. I work as a security guard and don't have much money. After I pay \$125 rent a week, I buy subway tokens and food. I have \$10 left and \$5 of that goes for laundry. The ticket is \$85. I \$100 would be nice. I am a widow, and my son is 25. Please give me the chance to go be with him. — Mrs. M.G., Brooklyn, N.Y.

Dear Mrs. G.: You've been called to go, particularly by the love in your heart for your son, so it shall be. I'm sending you \$350 to cover rent while you miss work and general expenses. It's a dark road you must travel to see your son. God grant you the strength to see the light when I welcomes your son home.

Percy: If you take the word "paltry" and "gifts" and put them together, that best describes you. Does it ever bother you that people like me leave you behind, or that you are not

Bush's economic plan:

A gamble for past presidents

By MARTIN CRUTSINGER face the voters in 1976

Bow Schools honored this week

Spotlight on STEP, state goals

By Jeffery J. Bielser
CHIEF managing editor

Broken Bow Public schools will receive a good dose of attention this week.

Gov. Ben Nelson and U.S. Sen. Bob Kerrey will be in town Friday to welcome Broken Bow into Nebraska 2000 and to dedicate the long-distance learning project, which links it with four other communities in Central Nebraska.

A breakfast at 7:30 a.m. will kick off the school district's entry into Nebraska 2000. It will be at the Elks Lodge and is open to the public.

Besides Nelson and Kerrey, other featured guests will include Florida Gov. Lawton Chiles, Nebraska's deputy director of education Doug Christensen, assistant commissioners of education Polly Feist and Marge Harouff, and Andy Cunningham and Rod Armstrong of Nelson's policy office, along with people from the state technology consortium and NebSat Coordinating Council. Armstrong is a Broken Bow native.

Nebraska 2000 is the state's version of America 2000, a six-point plan to make U.S. students better educated and more competitive against other students around the world by the turn of the century.

Dedication of the Sandhills Tele-

communication-Technology Education Project (STEP) will be at 3:30 p.m. at Broken Bow High School. An open house and demonstration of STEP will begin at 2:30 p.m. with students from all five schools taking part. Besides Broken Bow, other schools are Loup City, Ansley, Anselmo-Merna and Sandhills.

"I had things pretty well lined out, but now I'll have to go to plan B," said superintendent Don Vanderheiden.

He was referring to state dignitaries who might not be able to attend the dedication of the kickoff breakfast because of a special session Gov. Nelson has called which began Oct. 5.

All this attention to the schools is not only good for them, but also for the community, too, Vanderheiden said.

"It brings the name of Broken Bow to the surface as a thriving community

with a good school system," he said of being accepted into Nebraska 2000.

It improves Broken Bow's chances of bringing new people and businesses to town, Vanderheiden said, because it shows the community has a good school system.

Also, Vanderheiden said he hopes that this attention will make the district's patrons realize the schools' desire for improvement and get more of them involved in the restructuring process of the schools.

"Many of the same things can be said about the distance-learning project," he said.

It shows the schools and communities have taken a bold step to provide a good education for their students, Vanderheiden said.

"This (the project) will give many of the state policy and decision mak-

Continued on page 3

Schools honored Friday

Continued from front page

ers a chance to see the technology successfully implemented," he said.

Also, it could be a stepping stone for other areas of the state who might be thinking about establishing a similar system, Vanderheiden said of the interactive learning system.

Nelson and Kerrey will be involved with students in Broken Bow during most of their visit Friday.

"We also think the governor's visit is important for our students," Vanderheiden said. "How many students can say the governor visited their class?"

Following the Nebraska 2000 breakfast, Gov. Nelson will visit each of the Broken Bow schools to see other uses of high technology used in education, he said.

The school district's Veterans Day program has been moved to 1:10 p.m. Friday to an assembly where Sen. Kerrey will speak. Following that, the senator will meet with selected social studies students from each of the five schools on the long-distance learning system.

"I guess we also see it as a reward for our teaching staff," Vanderheiden said of the dignitaries' visit.

It gives the local teachers a chance to show the kind of work they do every day, he said.

Local/State



Independent/Michael Hooper

Bob Kerrey interacts with students at five schools via new technology in telecommunications.

Kerrey in 5 schools at once

Long distance learning gets help from technology

By Michael Hooper
The Independent

BROKEN BOW — Students from five Nebraska schools visited with Sen. Bob Kerrey Friday during a demonstration of distance learning, a new technology in Nebraska education.

With the help of fiber optics and television monitors, students in Loup City, Ansley, Anselmo-Merna and Dunning linked with the former Democratic presidential candidate as he stood in a Broken Bow classroom.

It seemed the top question on their list as whether he would run for president again in 1996.

"No," he said he will run for the U.S.

Senate again. Kerrey expects President-elect Bill Clinton to run again in 1996, and Kerrey said he wants to get more work done as a U.S. senator.

He was one of several VIPs in Broken Bow to help dedicate the Sandhills Technology-Telecommunications Educational Project (STEP).

Gov. Ben Nelson called the technology "a tremendous move forward" in education. He commended Broken Bow Public Schools Superintendent Don Vanderheiden for having the vision and dedication to bring the technology to the area.

STEP broadcasts classes to other schools and allows students to see each other and participate in discussions. For

example, photography is taught in Sandhills Public School in Dunning, but students in Broken Bow also are participating in the class, Vanderheiden said in an interview.

In addition to photography, STEP is being used to teach physics, pre-calculus, social studies, a college-credit English class and three levels of Spanish. About 80 students are involved, Vanderheiden said.

In order for the STEP program to work, a fiber optics cable was buried between the schools this year, Vanderheiden said.

Two of the 10 fibers in the cable hold 16 television channels, the audio, a fax machine and a computer, he said.

On Friday, Sen. Kerrey gave a civics

lesson on the Constitution, which was established, in part, to "promote the general welfare" of the people.

With that in mind, he said, Congress will be examining the Clean Water Act next year, which will affect Nebraska agriculture. He said Congress must be careful not to promote the general welfare of the environment over the general welfare of the people.

Students weren't only interested in politics.

"Have you ever been to the End Zone bar in Ansley?" a girl from Ansley asked.

Kerrey said he was there in 1987 when he was on his way to Broken Bow to participate in the One Box Pheasant Hunt. "Those were the good ol' days," he said.

ATTACHMENT 12

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Reference Area

Appeals - SLD Guidelines for Review

SLD reviews appeals of its decisions in accordance with guidelines established by the Schools and Libraries Programmatic Subcommittee of the USAC Board of Directors. There are four circumstances when appeals can be granted by USAC, assuming there are no other issues identified during review:

1. **When the appeal makes clear that SLD erred in its initial review.** If SLD makes a mistake (for example, denies funding because the request includes 30% or more of ineligible services), and the appeal points out that mistake (demonstrates that all the services were in fact eligible or that the cost of ineligible services was not included in the original request), SLD will grant the appeal.
2. **When the appeal makes clear that the applicant made a mistake in information provided in or with the application leading to funding denial and that SLD could have identified the mistake from information provided with the application.** If the applicant made a mistake in completing the Form 471 (for example, put in the wrong contract award date in Block 5) and had provided information to SLD either with the application or during PIA review (for example, provided a copy of the contract to PIA during review with the award date indicated) and when the appeal points out the mistake (the wrong contract award date) and how SLD could have seen the mistake (from the contract provided during review), SLD will grant the appeal.
3. **When the appeal provides documentation to correct an incorrect SLD assumption made because there was insufficient information in the application file about an issue.** In general, PIA will contact the applicant and ask for all information necessary to make decisions about an application. If that contact does not occur, however, and funding is denied based on an incorrect assumption, SLD will grant an appeal when the appellant points out the incorrect assumption and provides documentation about the issue that is consistent with information originally provided but also successfully resolves the ambiguity in the original file.
4. **When SLD obtains policy clarification or new policies between the time of funding commitment and the appeal decision.** Over the life of the Schools and Libraries program to date, there have been policy clarifications from the FCC that have changed the way SLD views some funding requests. For example, remote access routers were viewed as ineligible products because they could be used to access the Internet remotely from ineligible sites. In its November 1999 decision on an appeal from the White Sulphur Springs School District, the FCC ruled that such routers can be eligible if they are not used remotely. SLD changed its guidance on the web site and granted subsequent appeals that met the conditions for eligibility.

Consistent with these guidelines, SLD will not accept new information on appeal that is inconsistent with information in the file used during review. If, for example, an incorrect contract award date is entered in Block 5 of the

Form 471 resulting in a denial for failure to meet competitive bidding
<http://www.sl.universalservice.org/reference/AppealsSLDGuidelines.asp>

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requirements and no other information on the contract award date was provided with the application or to PIA during review, SLD will not accept a dated copy of the contract provided with the appeal as the basis for granting the appeal.

In each case above, there is a caveat - SLD will grant the appeal assuming no other issues are identified during review. In order to save administrative time and money, PIA stops its review of a particular funding request once it finds one program rule violation requiring denial. If, on appeal, that basis for funding denial is successfully refuted, SLD must examine all other aspects of the request to ensure there is not some other program rule violation that requires denial of the request. If another basis for denial is found, the appeal will be denied for a different reason than that originally provided in the Funding Commitment Decision Letter. If a new denial reason is given, SLD is making a new decision and the appellant would have 30 days from the date of the Administrator's Decision Letter to file a new appeal - either with SLD or the FCC.

In general, SLD reviews appeals on a first come-first served basis. Based on an ongoing analysis of the success rate of past appeals, SLD reserves funds to cover those appeals that may be granted. Virtually all appeals must be reviewed and Administrator's Decision Letters sent before we can issue new Funding Commitment Decision Letters for meritorious appeals. Even though we reserve funds for meritorious appeals, we must wait until all appeal reviews are completed to be sure we have reserved sufficient funds. The FCC is addressing how to proceed in the unlikely event that there is an insufficient reserve to cover all successful appeals.

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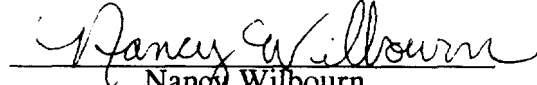
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CERTIFICATE OF SERVICE

I, Nancy Wilbourn, of Kraskin, Lesse & Cosson, LLP, 2120 L Street, NW, Suite 520, Washington, DC 20037, do hereby certify the foregoing "Appeal of Schools and Libraries Division Decision" was served on this 2nd day of July, 2001 via hand delivery or by U.S. first class mail, postage pre-paid to the following parties:


Nancy Wilbourn

Chairman Michael Powell *
Federal Communications Commission
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Washington, DC 20554

Commissioner Michael J. Copps *
Federal Communications Commission
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